

No. 49402

**Canada
and
Estonia**

Agreement on social security between Canada and the Republic of Estonia. Ottawa, 21 February 2005

Entry into force: *1 November 2006, in accordance with article XXVIII*

Authentic texts: *English, Estonian and French*

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Estonie**

Accord de sécurité sociale entre le Canada et la République d'Estonie. Ottawa, 21 février 2005

Entrée en vigueur : *1^{er} novembre 2006, conformément à l'article XXVIII*

Textes authentiques : *anglais, estonien et français*

Enregistrement auprès du Secrétariat des Nations Unies : *Canada, 6 mars 2012*

**AGREEMENT ON SOCIAL SECURITY
BETWEEN
CANADA AND
THE REPUBLIC OF ESTONIA**

CANADA

AND

THE REPUBLIC OF ESTONIA,

hereinafter referred to as "the Parties",

RESOLVED to co-operate in the field of social security,

HAVE DECIDED to conclude an agreement for this purpose, and

HAVE AGREED AS FOLLOWS:

PART I
GENERAL PROVISIONS

Article I
Definitions

1. For the purposes of this Agreement:

“benefit” means, as regards a Party, any pension or other cash benefit for which provision is made in the legislation of that Party and includes any supplements or increases applicable to such a pension or cash benefit;

“competent authority” means, as regards a Party, the Minister or Ministers responsible for the application of the legislation of that Party;

“competent institution” means, as regards Canada, the competent authority; and, as regards the Republic of Estonia, the institutions charged with the implementation of the legislation of the Republic of Estonia;

“creditable period” means, as regards a Party, a period of contributions, insurance or residence used to acquire the right to a benefit under the legislation of that Party; as regards Canada, it also means a period during which a disability pension is payable under the *Canada Pension Plan*; and, as regards the Republic of Estonia, other periods of pensionable service as defined in the legislation of the Republic of Estonia;

“legislation” means, as regards a Party, the acts and regulations specified in Article II;

“residence” means, as regards the Republic of Estonia, legal residence in the territory of the Republic of Estonia, including permanent residence or temporary residence status;

“territory” means, as regards Canada, the territory of Canada; and, as regards the Republic of Estonia, the territory under the jurisdiction of the Republic of Estonia; and the terms “Canada” and “Republic of Estonia”, when used in a geographical sense, shall be interpreted accordingly;

2. Any term not defined in this Article has the meaning assigned to it in the applicable legislation.

Article II

Legislation to which the Agreement Applies

1. This Agreement shall apply to the following legislation:
 - (a) with respect to Canada:
 - (i) the *Old Age Security Act* and the regulations made thereunder;
 - (ii) the *Canada Pension Plan* and the regulations made thereunder;
 - (b) with respect to the Republic of Estonia:
 - (i) the acts and regulations made thereunder regulating the state old-age pension, pension for incapacity for work, survivor's pension and national pension;
 - (ii) the *Social Tax Act*.
2. Subject to paragraph 3, this Agreement shall also apply to acts and regulations which amend, supplement, consolidate or supersede the legislation specified in paragraph 1.
3. This Agreement shall further apply to acts and regulations which extend the legislation of a Party to new categories of beneficiaries or to new benefits unless an objection on the part of that Party has been communicated to the other Party not later than three months following the entry into force of such acts and regulations.

Article III

Persons to Whom the Agreement Applies

This Agreement shall apply to:

- (a) any person who is or who has been subject to the legislation of one or both of the Parties;
- (b) other persons to the extent they derive rights under the applicable legislation from a person described in sub-paragraph (a).

Article IV

Equality of Treatment

All persons described in Article III to whom this Agreement applies shall have equal rights and obligations under the legislation of the Parties.

Article V

Export of Benefits

Unless otherwise provided in this Agreement, benefits payable under the legislation of a Party to any person described in Article III, including benefits acquired by virtue of this Agreement, shall not be subject to any reduction, modification, suspension or cancellation by reason only of the fact that the person resides in the territory of the other Party, and these benefits shall be paid when that person resides in the territory of the other Party.